

Serial Number 10/541368
Docket Number CN920020015US1
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Serial No. | : | 10/541368 |
| Applicant | : | Hao Wang |
| Filed | : | 07/24/2006 |
| Examiner | : | Mohammad N. Rahman |
| TC/A.U. | : | 2161 |
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Commissioner for Patents
Mail Stop Amendment
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RESPONSE TO EXAMINER INTERVIEW SUMMARY

Sir:

In response to the Interview Summary dated August 5, 2010, Applicant disagrees with the Interview Summary as follows:

The Summary alleges that the substance of the interview of July 23, 2010 was:

“Discussed the novelty of the claimed invention. However, the applicant’s representative was unable to clarify the exact novelty of the invention and the functionality of the virtual device. The applicant’s representative was advised to reschedule the interview for the better understanding of the claimed invention.”

The undersigned disagrees with the examiner’s statement and pointed out to the examiner during the interview that the invention as claimed distinguished patentably from the Tompkins reference

(US Pub. No. 2007/0053518) for reasons clearly stated in the amendment of April 29, 2010. The examiner appeared confused by the claim language and was not able to understand the claims as written. If that is true, then a rejection based on indefiniteness under 35 USC §112¶2 should have been issued. The undersigned pointed out that the rejection of November 18, 2008 fell woefully short of the requirements of MPEP section 707.07(d) that “[w]here a claim is refused for any reason relating to the merits thereof it should be ‘rejected’ and the ground of rejection fully and clearly stated...” Therefore, the rejection was traversed. Applicant now feels compelled to respond to the Summary of the Interview and requests an early Notice of Allowance.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests allowance of the pending claims. The Director is hereby authorized to charge any fees which may be required, including any petition for extension of time fees under §1.17, or credit any overpayment, to Deposit Account Number 50-0510.

Respectfully submitted,

/Michael J. Buchenhorner/

Michael J. Buchenhorner
Reg. No. 33,162

Date: September 3, 2010

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